

Arrest on Out-of-District Offense

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

ARREST ON OUT-OF-DISTRICT OFFENSE


Magistrate Case Number: **'08 MJ 85 22**

The person charged as Deivid ATTAR now appears before this United States District Court for an initial appearance as a result of the following charges having been filed in the United States District Court for the Central District of California with Fraudulently committed mail fraud and bank fraud in violation of Title 18, United States Code, Sections 1342 and 1344

The charging documents and the warrant of the arrest of the defendant which was issued by the above United States District Court are attached hereto.

I hereby swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

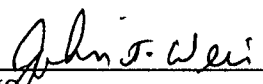
DATED: June 9, 2008



RONALD T. RIBAIL
Special Agent, Federal Bureau of Investigation
(Name)

Reviewed and Approved:

Dated: June 9, 2008



JOHN F. WEIS
Assistant United States Attorney

COPIES

United States District Court

CENTRAL

DISTRICT OF

CALIFORNIA

UNITED STATES OF AMERICA

v.

WARRANT FOR ARREST

DEIVID ATTAR

ON COMPLAINT

CASE NUMBER

08-1300M

To: The United States Marshal or any
Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest DEIVID ATTAR

and bring him or her forthwith to the nearest Judge/Magistrate to
answer a complaint charging him or her with mail fraud and bank fraud, in
violations of Title 18, United States Code, Section 1341 and 1343,

with Bail fixed at \$ To Be Determined by
REC: BY AUSA (Detention) Duty Magistrate Judge

Date:

6/2/08

HONORABLE FERNANDO M. OLGUIN


Name of Judge/Magistrate Judge

FERNANDO M. OLGUIN

Signature of Judge/Magistrate Judge

RETURN

This warrant was received and executed with the arrest of the above-named
defendant at EL CENTRO, CA

DATE RECEIVED 5/9/08	NAME & TITLE OF ARRESTING OFFICER STRUCKMEYER, DOUGLAS A S/A	SIGNATURE OF ARRESTING OFFICER 
DATE OF ARREST 5/9/08		

6/3/08
TOTAL P.01

AO 91
Rev. 11/82

CRIMINAL COMPLAINT

Ugent
COPY

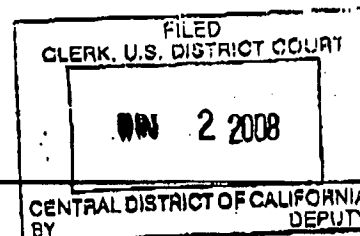
UNITED STATES DISTRICT COURT	CENTRAL DISTRICT OF CALIFORNIA
UNITED STATES OF AMERICA v. DEIVID ATTAR	DOCKET NO. MAGISTRATE'S CASE NO. 08- 08-13004

Complaint for violation of Title 18, United States Code, §§ 1341, 1344

NAME OF MAGISTRATE JUDGE HON. FERNANDO M. OLGUIN		UNITED STATES MAGISTRATE JUDGE	LOCATION Los Angeles, CA
DATE OF OFFENSE 10/2007-2/2008	PLACE OF OFFENSE Los Angeles County	ADDRESS OF ACCUSED (IF KNOWN)	

COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:

From in or about October 2007 through in or about February 2008, in Los Angeles County, within the Central District of California, defendant DEIVID ATTAR fraudulently committed mail fraud and bank fraud, in violation of Title 18, United States Code, Sections 1341 and 1344.



BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:

(See attached affidavit which is incorporated as part of this Complaint)

MATERIAL WITNESSES IN RELATION TO THIS CHARGE:

Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.

SIGNATURE OF COMPLAINANT

/s/

OFFICIAL TITLE
Special Agent - Small Business Administration - OIG

Sworn to before me and subscribed in my presence,

SIGNATURE OF MAGISTRATE JUDGE ⁽¹⁾

FERNANDO M. OLGUIN

DATE

June 2, 2008

⁽¹⁾ See Federal Rules of Criminal Procedure rules 3 and 54.

SYM REC: DETENTION (Warrant)

I, SANDRA MAZZONI, being duly sworn, do hereby depose and say:

1. I am a Special Agent with the Small Business Administration ("SBA"), Office of Inspector General and have been so employed for over 13 years. I completed the Criminal Investigator course at the Federal Law Enforcement Training Center in Glynnco, Georgia in 1994 and a two-week Inspector General course in 1996. Throughout my career, I have investigated highly complex financial fraud schemes, including SBA loan packager fraud cases in the states of California, Nevada, Arizona, and Puerto Rico. For the past two years, I have been assigned to a task force investigating a sophisticated identity theft ring operated by a group of Israeli Nationals for the sole purpose of obtaining fraudulent business and residential loans and credit cards.

2. This affidavit is made in support of a criminal complaint and arrest warrant for DEIVID ATTAR, also known as David Attar ("ATTAR"), for violations of Title 18, United States Code, Section 1341, Mail Fraud and Title 18, United States Code, Section 1014, Bank Fraud. The facts set forth in this affidavit are based on my personal observations, my training and experience, and information obtained from other law enforcement officers and witnesses. This affidavit is intended to show that there is sufficient probable cause for an arrest warrant and does not purport to set forth all of my knowledge of or investigation into this matter.

3. In the Fall of 2007, I was assisting task force member Los Angeles Police Department ("LAPD") Detective Dave Roward in executing a search warrant at the residence of Ely Kavon and Ortal Moyal, located at 4917 Canoga Avenue, Woodland Hills, California. Detective Roward told me that he had seen Mr. Kavon impersonating an Israeli National named Yosef Dahan and obtaining credit in Dahan's name. Detective

Roward and I seized approximately 36 items from the search, including financial documents from several banks and credit card companies; personal identification information, such as passports, California driver licenses, including California driver license number E1210315 in the name of DEIVID YAFAT ATTAR with an address of 15007 Burbank Boulevard, Los Angeles, California 91406; and a Laptop computer.

4. In the Fall of 2007, I was told by LAPD Detective Doris Andrews that California driver license E1210315 belongs to YAFAT ATTAR. Detective Andrews told me that YAFAT ATTAR's address was 15007 Burbank Ave, #213, Sherman Oaks, California 91406. I was also told by Detective Andrews that YAFAT ATTAR is a female.

5. In the Fall of 2007, I ran ATTAR's name through the SBA's computer database and discovered that ATTAR was approved for a \$5,000 SBAExpress loan through Bank of America for a business named DA Investments on July 5, 2007. I obtained a copy of the SBAExpress loan file from Bank of America and discovered that ATTAR claimed to be a United States Citizen and the owner of DA Investments located at 6211 Van Nuys Blvd, Unit A, Van Nuys, California, 91401. I also discovered that ATTAR listed the following personal information on his SBAExpress loan paperwork: Social Security Account Number ("SSAN") XXX-XX-0742; Date of Birth: June 13, 1980; and Street Address: 21781 Ventura Blvd., #220, Woodland Hills, California, 91364.

6. In December 2007, I spoke with Bank of America SBA Specialist Valerie Toland, who told me that the SBAExpress loan documents were mailed to the Bank of America Tarzana branch for ATTAR to sign.

7. In December 2007, Investigator Peggy Thompson from Bank of America, gave me surveillance photographs of ATTAR at Bank of America's Tarzana branch. The photographs depict ATTAR meeting with loan officer Michael Said. The photographs further depict ATTAR signing his SBAExpress loan documentation in front of Said. I studied the photographs and determined that the individual who signed the SBAExpress loan documents in the name of ATTAR appeared to be the same person whose photograph was depicted on the California driver license number E1210315 in the name of Yafa Atar.

8. In December 2007, I showed Detective Roward ATTAR's Bank of America surveillance photographs that I received from Investigator Thompson. Detective Roward told me that the Bank of America surveillance photographs of ATTAR appeared to depict the same individual he recently surveilled going into a Wells Fargo Branch on Ventura Boulevard.

9. In December 2007, I contacted Officer Ron Prince, Office of Fraud Detection and National Security, United States Citizenship & Immigration Service. Officer Prince told me that ATTAR is not a United States Citizen. Officer Prince subsequently told me that ICE records for ATTAR reveal that ATTAR entered the United States illegally. Officer Prince also told me that ATTAR may have a prior criminal record in Canada.

10. In December 2007, I was told by Postal Inspector Mike McCarthy, United States Postal Inspection Service that on July 15, 2004, ATTAR was charged with falsifying credit cards by the Peel Police Department in Ottawa, Canada.

11. On January 9, 2008, I was told by Detective Andrews, that she had obtained a copy of the booking photos of three individuals involved in an ATM skimming scheme in Canada. Detective Andrews told me that ATTAR was one of the defendants in the booking photos she received from the Peel Police Department in Canada. Detective Andrews forwarded the photos to me via email. I reviewed the photos and confirmed that ATTAR was in fact one of the defendants charged in this scheme. I determined this by comparing the Bank of America surveillance photographs of ATTAR to the Canadian booking photo.

12. On May 27, 2008, I was told by Detective Roward that 21781 Ventura Boulevard is a postal annex. I was also told by Detective Roward that box 220 belongs to DEIVID ATTAR and that he obtained a copy of a KIDA International Driver's license that ATTAR used as identification to open box 220. Detective Roward subsequently told me that Kavon was identified by the postal annex employee as also coming into the postal annex to pick up mail for box 220.

13. On May 22, 2008, I spoke with Federal Bureau of Investigation ("FBI") agent Troy Ribail, El Centro, California. Agent Ribail advised that border agents arrested ATTAR in a polluted river trying to swim into the United States from Mexico. Agent Ribail told me that he checked Suspicious Activity Reports (SAR) for ATTAR and learned about the SBAExpress fraud. Agent Ribail told me he contacted Bank of America Investigator Thompson who gave him my name and number. Agent Ribail told me that ATTAR is in custody in El Centro and has an immigration hearing on June 3, 2008 which is when he will probably be released.

14. On May 22, 2008, Agent Ribail sent me, via facsimile, copies of the SARs for ATTAR. I discovered that on February 7, 2008, Morgan Andres ("Andes"), SAR specialist for BMW Bank of North America, a federally-insured financial institution, filed a SAR against ATTAR for a BMW ATTAR purchased in the amount of \$47,580. The following personal information is listed on the SAR for ATTAR: DEIVID ATTAR, 15007 Burbank Boulevard, #113, Sherman Oaks, California, 91411.

15. On May 28, 2008, Morgan Andres told me that ATTAR applied for a car loan for a 2004 BMW 745i and provided SSAN XXX-XX-0742 for approval of this loan. Andres also told me that ATTAR's car loan was approved and that ATTAR did not make a single payment on this loan.

16. On May 28, 2008, Andres sent me, via email, copies of ATTAR's credit application for his car loan. The documents show that on September 23, 2007, ATTAR applied for a car loan at Center BMW located at 5201 Van Nuys Boulevard, Sherman Oaks, California 91401. The credit application shows that ATTAR listed his SSAN as XXX-XX-0742.

17. On May 29, 2008, Detective Andrews told me that she went to the dealership where ATTAR obtained his BMW car loan located at 5201 Van Nuys Boulevard, Sherman Oaks, California. Detective Andrews told me that she interviewed Andre Frozan, the sales person who sold the BMW to ATTAR. Detective Andrews told me that Frozan identified ATTAR from a photograph line up.

18. On May 29, 2008, Detective Andrews also told me that she interviewed Valerie Leisenring, the office manager for the dealership where ATTAR obtained his BMW. Leisenring told her that if she had known that the social security number and

credit information provided by ATTAR were false, ATTAR's car loan would not have been approved.

19. On May 28, 2008, I spoke with Special Agent Paul Yokoyama, Social Security Administration, Office of Inspector General. Agent Yokoyama told me that SSAN XXX-XX-0742 was issued to C.W. on approximately June 7, 1991. Agent Yokoyama also told me that the date of birth listed for C.W. on the social security application is July 26, 1980. Agent Yokoyama subsequently told me that the place of birth for C.W. was Paris, France.

20. On May 29, 2008 Agent Yokoyama sent me, via email, copies of C.W.'s immigration records that he received from Immigration and Customs Enforcement. I reviewed the information, which showed a photograph of C.W. and a thumbprint. According to Agent Yokoyama, C.W. may be a "Visa Overstay" and her current whereabouts are unknown.

21. Based on the foregoing, I submit that there is probable cause to believe DEIVID ATTAR committed violations of Title 18, United States Code, Section 1341, Mail Fraud, and Title 18, United States Code 1014 Bank Fraud.

/s/

Sandra Mazzoni
Special Agent, SBA OIG

Subscribed and sworn before me
On this 2 day of June, 2008

FERNANDO M. OLGUIN

UNITED STATES MAGISTRATE JUDGE